

REMARKS

In the Office Action mailed on July 30, 2004, claims 1-18, 20, 28 and 32-48 were pending. Claims 1-18, 20-28 and 32-48 were rejected.

Claims 1, 3-5, 7-10, 12, 13, 32 and 48 have been amended. The proposed amendments do not contain new matter. The subject matter of the amendments can be found in the originally filed specification and in the originally filed claims, among other places. Applicants respectfully request admission of the amended claims 1, 3-5, 7-10, 12, 13, 32 and 48.

Claim 2 has been canceled and is no longer at issue.

I. Rejection under 35 U.S.C. § 112

In the Office Action at page 2, number 4, claims 1-8, 10-15 and 32-48 were rejected under 35 U.S.C. § 112, first paragraph, as based on a disclosure which is not enabling. The Examiner stated that a third antireflective layer with a thickness range of 60 to 273 angstroms appears to be critical or essential to the practice of the invention, but is not included in the claims.

Applicants have amended independent claims 1, 32 and 48 to recite a third antireflective layer with a thickness range of 60 to 273 angstroms so this rejection is no longer valid. Claims 3-8 and 10-15 depend from claim 1 and claims 33-47 depend from claim 32. As a result, Applicants respectfully request the withdrawal of the rejection of claims 1-8, 10-15 and 32-48 under 35 U.S.C. § 112, first paragraph.

II. Rejections under 35 U.S.C. §103

A. Rejection of claims 1-18, 20-25, 27, 28 and 32-48 over U.S. Patent No. 6,045,896 ("Boire").

In the Office Action at page 3, number 6, claims 1-18, 20-25, 27, 28 and 32-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Boire. The Examiner took Official Notice that it is known in the art that increasing the thickness of an infrared reflective layer (s) will increase the reflectance while decreasing the transmittance of a coating. The Examiner

went on to state that it would have been obvious to one having ordinary skill in the art at the time the invention was made to adjust the thickness of the second infrared layer of Boire, such as to between 159 and 257 angstroms because some applications desire high reflectance/low transmittance coatings, as taught by Boire in column 9, lines 15-23, and because it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. The Examiner further stated that Boire fails to specifically mention a shading coefficient, U value or LCS, but considering the substantially identical coated article disclosed by Boire, after adjustment of the second infrared reflective layer thickness as taught above, compared to the claimed coated article, the coated article of Boire would inherently possess the claimed properties. Applicants respectfully traverse the rejection.

1. The Present Invention

The present invention as recited in amended claim 1 is a solar control article, comprising: a substrate having a surface; a coating over the surface to provide a coated article having a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%, the coating comprising: a first antireflective layer over at least a portion of a substrate surface; a first infrared reflective layer over at least a portion of the first antireflective layer; a second antireflective layer over at least a portion of the first infrared reflective layer; a second infrared reflective layer having a thickness ranging from 159 to 257 angstroms over the second antireflective layer; and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer.

The present invention as recited in claim 16 is a solar control coated article, comprising: a transparent substrate having a surface; a coating over the surface to provide a coated article having a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%, the coating comprising: a first antireflective layer over a substrate surface, wherein the first antireflective

layer has a thickness of about 272 to about 332 angstroms; a first infrared reflective layer over the first antireflective layer, wherein the first infrared reflective layer has a thickness of about 86 to about 269 angstroms; a first primer layer deposited over the first infrared reflective layer, wherein the primer layer has a thickness of about 15 to about 30 angstroms; a second antireflective layer deposited over the first primer layer, wherein the second antireflective layer has a thickness of about 198 to about 836 angstroms; a second infrared reflective layer deposited over the second antireflective layer, wherein the second infrared reflective layer has a thickness of about 159 to about 257 angstroms; a second primer film deposited over the second infrared reflective layer, wherein the primer layer has a thickness of about 15 to about 30 angstroms; and a third antireflective layer deposited over the second primer layer, wherein the third antireflective layer has a thickness of about 60 to about 273 angstroms.

The present invention as recited in amended claim 32 is a method of making a solar control article, comprising the steps of: providing a substrate having a surface; depositing a coating over at least a portion of the surface of the substrate to provide a coated article having a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%, the depositing step comprising the steps of: depositing a first antireflective layer over at least a portion of a substrate surface; depositing a first infrared reflective layer over at least a portion of the first antireflective layer; depositing a second antireflective layer deposited over at least a portion of the first infrared reflective layer; depositing a second infrared reflective layer deposited over at least a portion of the second antireflective layer, wherein the second infrared reflective layer has a thickness of about 159 to about 257 angstroms; and depositing a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer.

The present invention as recited in amended claim 48 is a solar control article, comprising: a substrate having a surface; and a coating over the surface to provide a coated article having a LCS defined as the percent of

visible light transmittance expressed as a decimal divided by the shading coefficient that is equal to or greater than 1.86, the coating comprising: a first antireflective layer over at least a portion of a substrate surface, a first infrared reflective layer over at least a portion of the first antireflective layer, a second antireflective layer deposited over at least a portion of the first infrared reflective layer, a second infrared reflective layer deposited over at least a portion of the second antireflective layer, wherein the second infrared reflective layer has a thickness of about 159 to about 257 angstroms, and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer.

2. The Boire Reference

Boire discloses a glazing assembly made of at least one transparent substrate having a stack thereon that includes n functional layers and n+1 coatings, wherein the functional layers can reflect infrared and/or solar radiation.

3. Traversal of the Rejection

For a proper rejection under 35 U.S.C. § 103, the PTO must satisfy three requirements. First, the prior art relied upon, coupled with the knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or to combine references. See In re Fine, 837 F.2d 1071, 1074, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Second, the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. See Amgen, Inc., 927 F.2d 1200, 1209, 18 U.S.P.Q.2d 1016, 1023 (Fed Cir. 1991). Lastly, the prior art reference or combination of references must teach or suggest all the limitations of the claims. See In re Wilson, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

In the present case, the invention as recited in claim 1 is a solar control article comprising a second infrared reflective layer having a thickness ranging from 159 to 257 angstroms over a second antireflective layer and a

third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer. Due to the specific configuration (i.e., composition and thickness of the various layers) of the coating layers, the solar control article of the present invention is able to exhibit the following combination of performance properties: a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%.

The Boire reference discloses a glazing assembly made up of functional layers and coatings. Boire does not specifically disclose the thickness of any of the functional layers or coatings. For guidance on the layer thicknesses encompassed by Boire, it is necessary to look at the examples. The examples of Boire contain a second functional layer (the second infrared reflective layer of the invention) having a thickness ranging from 80 to 120 angstroms and a third coating layer (the third antireflective layer of the invention) having a thickness of approximately 350 angstroms. See Tables 1 and 3 in Boire (the third antireflective layer is made up of (8a) and (8b)).

In this case, the thickness ranges recited for the second infrared reflective layer and the third antireflective layer in claim 1 do not overlap with the ranges disclosed in the examples of Boire so there is no teaching or disclosure in Boire of the coating recited in claim 1. However, the Examiner alleges that it would be obvious to provide a second infrared reflective layer between 159 and 257 angstroms. In general, an applicant may overcome a prima facie case of obviousness by establishing that the claimed range is critical, generally by showing that the claimed range achieves unexpected results relative to the prior art range. In re Geisler, 116 F.3d at 1469-70, 43 USPQ2d at 1365.

Given the differences between the present invention and the cited reference in regard to layer thicknesses and resulting performance properties, the claimed range is critical in this instance. Despite the Examiner's assertions, how to manipulate various layers of a coating to achieve a combination of performance properties is not obvious. Manipulating various

coating layers to achieve a combination of properties is the essence of invention. Because the properties of a multilayer coating composition are a result of interactions between the various layers of coating, it is not possible to change one variable, for example, the thickness of a given layer in the coating, to affect a single property. Changing one variable affects all of the properties of the coating.

In the Office Action, the Examiner stated that Boire failed to specifically mention a shading coefficient, U value or an LCS, but considering the substantially identical coated article disclosed by Boire as compared to the claimed coated article, the coated article of Boire would inherently possess the claimed properties. The following illustrates the shading coefficient and LCS (% visible light transmitted divided by the shading coefficient) of a coated substrate are not inherent properties. Solarban® 60, which is a coating commercially available from PPG Industries, Inc. in Pittsburgh, PA has two infrared reflective films (silver) and antireflective layers like Boire and like the present invention. On a clear glass substrate, a Solarban® 60 coating has a visible light transmittance of approximately 69% and a visible light reflectance of approximately 12%. These values satisfy two of the three limitations in claim 1 (visible light transmittance in the range of about 50 to about 70% and a reflectance less than about 30%). However, the Solarban® 60 coating does not satisfy the third limitation, i.e., a shading coefficient of less than 0.33. Solarban® 60 has a shading coefficient of approximately 0.39. Therefore, it is possible to have a coated substrate that is similar, but not within the teaching of the present invention, and not realize the three performance properties recited in the claim in combination. Just because a coated substrate exhibits two of the performance properties recited in claim 1 doesn't mean it will exhibit all three in combination.

Because Solarban® 60 is a commercial product, its product specifications are readily available. If necessary, the performance specifications for Solarban® 60 can be sent to the Examiner.

In conclusion, there is nothing in Boire that teaches or suggests, either implicitly or explicitly, the solar control article as recited in claim 1; specifically,

a solar control article comprising a second infrared reflective layer having a thickness of about 159 to about 257 angstroms and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer that exhibits a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%. If the Examiner's logic was the rule of law, Boire would cover all coating configurations and all possible performance properties. As a result, claim 1 is patentably distinguishable over the references of record. Applicants respectfully request the withdrawal of this rejection of claim 1 under 35 U.S.C. § 103(a).

Claims 3-15 and 39-47 directly or indirectly depend on claim 1 and recite the present invention in varying scope. Applicants have discussed above how claim 1 is patentably distinguishable over the cited reference and claims 3-15 and 39-47 are similarly distinguishable. There is nothing in Boire that teaches or suggests the invention of claim 1 as further limited by claims 3-15 and 39-47. As a result, claims 3-15 and 39-47 are patentably distinguishable over the reference of record. Applicants respectfully request the withdrawal of this rejection of claims 3-15 and 39-47 under 35 U.S.C. § 103(a).

For the reasons discussed above in connection with claim 1, there is nothing in Boire that teaches or suggests the solar control coated article of claim 16; specifically there is no teaching of a solar control article that includes a second infrared reflective layer having a thickness ranging from 159 to 257 angstroms and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer that exhibits a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%. As a result, Applicants respectfully request the withdrawal of the rejection of claim 16 under 35 U.S.C. § 103(a).

Claims 17, 18, 20-25, 27 and 28 directly or indirectly depend on claim 16 and recite the present invention in varying scope. Applicants have discussed above how claim 16 is patentably distinguishable over the

references of record and claims 17, 18, 20-25, 27 and 28 are similarly distinguishable. As a result, Applicants respectfully request the withdrawal of the rejection of claims 17, 18, 20-25, 27 and 28 under 35 U.S.C. § 103(a).

For the reasons discussed above in connection with claim 1, there is nothing in Boire that teaches or suggests the method of making a solar control coated article recited in claim 32; specifically there is no teaching of depositing second infrared reflective layer having a thickness ranging from 159 to 257 angstroms and depositing a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer to provide a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%. As discussed earlier, there is no broad teaching in Boire of layer thickness and coating performance, and in particular the layer thicknesses and accompanying performance as recited in claim 16. As a result, Applicants respectfully request the withdrawal of the rejection of claim 32 under 35 U.S.C. § 103(a).

Claims 33-38 directly or indirectly depend on claim 32 and recite the present invention in varying scope. There is nothing in Boire that teaches or suggests the invention of claim 32 as further limited by claims 33-38. Applicants have discussed above how claim 32 is patentably distinguishable over the references of record and claims 33-38 are similarly distinguishable. As a result, Applicants respectfully request the withdrawal of this rejection of claims 33-38 under 35 U.S.C. § 103(a).

For the reasons discussed above in connection with claim 1, there is nothing in Boire that teaches or suggests the method of making a solar control coated article recited in claim 48; specifically there is no teaching of a solar control article comprising a second infrared reflective layer having a thickness ranging from 159 to 257 angstroms and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer that exhibits an LCS that is equal to or greater than 1.86. As a result, Applicants respectfully request the withdrawal of this rejection of claim 48 under 35 U.S.C. § 103(a).

B. Rejection of claims 26, 46 and 47 over Boire and further in view of U.S. Patent No. 5,821,001 (“Arbab”)

In the Office Action at page 6, number 7, claims 26, 46 and 47 were rejected under 35 U.S.C. 103(a) as being unpatentable over Boire as applied to claims 1-18, 20-25, 27, 28, and 32-48 above, and further in view of Arbab. Applicants respectfully traverse this rejection. As the Examiner stated in the Office Action, Arbab discloses that primer layers may include titanium and it would have been obvious to one having ordinary skill in the art to use titanium for the primer layers of Boire.

1. Arbab

Arbab discloses a multilayer high transmittance, low emissivity coating that features a special antireflective base film of at least two parts; a metallic-contacting film-part and a support film-part.

2. Traversal of the Rejection

The rule for a proper § 103 rejection is shown above. Claim 26 directly depends on claim 16 and recites the present invention in varying scope. Applicants have discussed above how claim 16 is patentably distinguishable over Boire.

There is nothing in Boire, considered alone and in view of Arbab, that teaches or suggests the invention of claim 16 as further limited by claim 26. As a result, claim 26 is patentably distinguishable over Boire in view of Arbab, and Applicants respectfully request this withdrawal of the rejection of claim 26 under 35 U.S.C. § 103(a).

Claims 46 and 47 indirectly depend from claim 1 and recite the present invention in varying scope. Applicants have discussed earlier how claim 1 is patentably distinguishable of Boire and there is nothing in Boire, considered alone and in view of Arbab, that teaches or suggests the invention of claim 1.

As a result, claims 46 and 47 are patentably distinguishable over Boire in view of Arbab, and Applicants respectfully request this withdrawal of the rejection of claims 46 and 47 under 35 U.S.C. § 103(a).

C. Rejection of claims 40 and 41 over Boire and further in view of U.S. Patent No. 5,776,603 (“Zagdoun”)

In the Office Action at page 8, number 8, claims 40 and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Boire as applied to claims 1-18, 20-25, 27, 28 and 32-48 above, and further in view of Zagdoun. The Examiner stated that it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the glass article of Boire in a dual glass plate arrangement with a gas-filled space, as disclosed by Zagdoun, because the article would possess reinforced thermal insulation suitable for many applications. Applicants respectfully traverses the rejection.

1. Zagdoun

Zagdoun discloses a coated substrate wherein the coating has at least one film based on an oxide of silicon, aluminum, and a third element.

2. Traversal of the Rejection

The rule for a proper § 103 rejection is shown above. Claims 40 and 41 indirectly depend on claim 1 and recite the present invention in varying scope. Applicants have discussed above how claim 1 is patentably distinguishable over Boire and there is nothing in Boire, considered alone and in view of Zagdoun, that teaches or suggests the invention of claim 1 as further limited by claims 40 and 41. As a result, claims 40 and 41 are similarly distinguishable. As a result, Applicants respectfully request the withdrawal of this rejection of claims 40 and 41 under 35 U.S.C. § 103(a).

D. Rejection of claim 44 over Boire and further in view of U.S. Patent No. 4,489,134 ("Yudenfriend")

In the Office Action at page 8, number 9, claim 44 was rejected under 35 U.S.C. 103(a) as being unpatentable over Boire as applied to claims 1-18, 20-25, 27, 28 and 32-48 above, and further in view of Yudenfriend. The Examiner stated that it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply a removable protective film to the coated article of Boire, because the removable film would prevent the formation of blemishes and scratches during manufacturing or transportation of the article. Applicants respectfully traverse the rejection.

1. Yudenfriend

Yudenfriend is directed to a method and apparatus for applying a sheet of energy control film to the surface of a window panel wherein the film comprises an adhesive stratum adapted to contact and cause the film to adhere to the panel.

2. Traversal of the Rejection

The rule for a proper § 103 rejection is shown above. Claim 44 directly depends on claim 1 and recites the present invention in varying scope. Applicants have discussed above how claim 1 is patentably distinguishable over Boire, and there is nothing in Boire, considered alone and in view of Yudenfriend, that teaches or suggests the invention of claim 1 as further limited by claim 44. As a result, claim 44 is distinguishable over the references of record, and Applicants respectfully request the withdrawal of this rejection of claim 44 under 35 U.S.C. § 103(a).

E. Rejection of claims 1-18, 20-28, 32-39 and 43-48 over Arbab

In the Office Action at page 9, number 10, claims 1-18, 20-28, 32-39 and 43-48 were rejected under 35 U.S.C. 103(a) as being unpatentable over Arbab. The Examiner stated that Arbab does not mention a thickness range for the second infrared reflective layer. The Examiner further stated that it would have been obvious to one having ordinary skill in the art at the time the invention was made to adjust the thickness of the second infrared layer of Arbab, such as to between 159 and 257 angstroms, because some applications desire high reflectance/low transmittance coatings, and because it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art.

The rule for a proper § 103 rejection is shown above. In the present case, the invention as recited in claim 1 is a solar control article comprising a second infrared reflective layer having a thickness ranging from 159 to 257 angstroms over a second antireflective layer and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer. Due to the specific configuration of the coating layers, the solar control article of the present invention is able to exhibit the following combination of performance properties: a visible light transmittance in the

range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%.

The Arbab reference discloses a glazing assembly made up of reflective films and antireflective layers. Arbab does not specifically disclose the thickness of any of the functional layers or coatings. For guidance on the layer thicknesses encompassed by Arbab, it is necessary to look at the examples. The example in Arbab with two reflective layers contains a second reflective film of silver (the second infrared reflective layer of the invention) having a thickness of approximately 130 angstroms and a third antireflective film (the third antireflective layer of the invention) having a thickness of approximately 270 angstroms. See Example 3 at col. 19, line 29, to column 20, line 16.

For the reasons discussed above in relation to Boire, it is not obvious how to manipulate various layers of a coating to achieve a combination of properties. More specifically, it is possible to have a coated substrate that is similar, but not within the teaching of the present invention, and not realize the three performance properties recited in the claim in combination. Just because a coated substrate exhibits two of the performance properties recited in claim 1 doesn't mean it will exhibit all three in combination.

In conclusion, there is nothing in Arbab that teaches or suggests, either implicitly or explicitly, the solar control article as recited in claim 1. As a result, claim 1 is patentably distinguishable over the reference of record. Applicants respectfully request the withdrawal of this rejection of claim 1 under 35 U.S.C. § 103(a).

Claims 3-18, 39 and 43-47 directly or indirectly depend on claim 1 and recite the present invention in varying scope. Applicants have discussed above how claim 1 is patentably distinguishable over Arbab and claims 3-18, 39 and 43-47 are similarly distinguishable. There is nothing in Arbab that teaches or suggests the invention of claim 1 as further limited by claims 3-18, 39 and 43-47. As a result, claims 3-18, 39 and 43-47 are patentably distinguishable over the reference of record. Applicants respectfully request

the withdrawal of this rejection of claims 3-18, 39 and 43-47 under 35 U.S.C. § 103(a).

For the reasons discussed above in connection with claim 1, there is nothing in Arbab that teaches or suggests the solar control coated article of claim 16; specifically there is no teaching of a solar control article that includes a second infrared reflective layer having a thickness ranging from 159 to 257 angstroms and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer that exhibits a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%. As a result, Applicants respectfully request the withdrawal of this rejection of claim 16 under 35 U.S.C. § 103(a).

Claims 17, 18 and 20-28 directly or indirectly depend on claim 16 and recite the present invention in varying scope. Applicants have discussed above how claim 16 is patentably distinguishable over the references of record and claims 17, 18 and 20-28 are similarly distinguishable. There is nothing in Arbab that teaches or suggests the invention of claim 16 as further limited by claims 17, 18 and 20-28. As a result, Applicants respectfully request the withdrawal of this rejection of claims 17, 18 and 20-28 under 35 U.S.C. § 103(a).

For the reasons discussed above in connection with claim 1, there is nothing in Arbab that teaches or suggests the method of making a solar control coated article recited in claim 32; specifically there is no teaching of depositing second infrared reflective layer having a thickness ranging from 159 to 257 angstroms and depositing a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer to provide a visible light transmittance in the range of about 50 to about 70%, a shading coefficient less than about 0.33 and a reflectance less than about 30%. As a result, Applicants respectfully request the withdrawal of this rejection of claim 32 under 35 U.S.C. § 103(a).

Claims 33-38 directly or indirectly depend on claim 32 and recite the present invention in varying scope. Applicants have discussed above how

claim 32 is patentably distinguishable over the references of record and claims 33-38 are similarly distinguishable. There is nothing in Arbab that teaches or suggests the invention of claim 32 as further limited by claims 33-38. As a result, Applicants respectfully request the withdrawal of this rejection of claims 33-38 under 35 U.S.C. § 103(a).

For the reasons discussed above in connection with claim 1, there is nothing in Arbab that teaches or suggests the method of making a solar control coated article recited in claim 48; specifically there is no teaching of a solar control article comprising a second infrared reflective layer having a thickness ranging from 159 to 257 angstroms and a third antireflective layer having a thickness ranging from 60 to 273 angstroms over the second infrared reflective layer that exhibits an LCS that is equal to or greater than 1.86. As a result, Applicants respectfully request the withdrawal of this rejection of claim 48 under 35 U.S.C. § 103(a).

F. Rejection of claims 40 and 41 over Arbab and further in view of Zagdoun

In the Office Action at page 12, number 11, claims 40 and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Arbab as applied to claims 1-18, 20-28, 32-39 and 43-48 above, and further in view of Zagdoun. As the Examiner stated in the Office Action, Zagdoun discloses the mounting of a coated glass article between two substrates with a gas-filled space defined there between for reinforced thermal insulation. Applicants respectfully traverse the rejection.

The rule for a proper § 103 rejection is shown above. Claims 40 and 41 indirectly depend on claim 1 and recite the present invention in varying scope. Applicants have discussed above how claim 1 is patentably distinguishable over Arbab and there is nothing in Arbab, considered alone and in view of Zagdoun, that teaches or suggests the invention of claim 1 as further limited by claims 40 and 41. As a result, claims 40 and 41 are distinguishable over the references of record, and Applicants respectfully request the withdrawal of the rejection of claims 40 and 41 under 35 U.S.C. § 103(a).

G. Rejection of claim 44 over Arbab and further in view of Yudenfriend

In the Office Action at page 12, number 12, claim 44 was rejected under 35 U.S.C. 103(a) as being unpatentable over Arbab as applied to claims 1-18, 20-28, 32-39 and 43-48 above, and further in view of Yudenfriend. As the Examiner stated in the Office Action, Yudenfriend discloses placing a removable protective layer on a window film to prevent the film from forming blemishes and scratches during manufacturing. Applicants respectfully traverse the rejection.

The rule for a proper § 103 rejection is shown above. The rule for a proper § 103 rejection is shown above. Claim 44 directly depends on claim 1 and recites the present invention in varying scope. Applicants have discussed above how claim 1 is patentably distinguishable over Arbab and there is nothing in Arbab, considered alone and in view of Yudenfriend, that teaches or suggests the invention of claim 1 as further limited by claim 44. As a result, claim 44 is distinguishable over the references of record, and Applicants respectfully request the withdrawal of this rejection of claim 44 under 35 U.S.C. § 103(a).

III. CONCLUSION

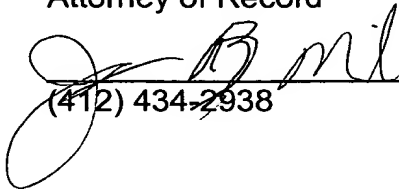
In light of the amendments and remarks presented in this correspondence, Applicants respectfully request the withdrawal of the following rejections: claims 1-8, 10-15 and 32-48 under 35 U.S.C. 112, first paragraph; claims 1-18, 20-25, 27, 28 and 32-48 under 35 U.S.C. 103(a) as being unpatentable over Boire; claims 26, 46 and 47 under 35 U.S.C. 103(a) as being unpatentable over Boire and further in view of Arbab; claims 40 and 41 under 35 U.S.C. 103(a) as being unpatentable over Boire and further in view of Zagdoun; claim 44 under 35 U.S.C. 103(a) as being unpatentable over Boire and further in view of Yudenfriend; claims 1-18, 20-28, 32-39 and 43-48 under 35 U.S.C. 103(a) as being unpatentable over Arbab; claims 40 and 41 under 35 U.S.C. 103(a) as being unpatentable over Arbab and further in view of Zagdoun; claim 44 under 35 U.S.C. 103(a) as being unpatentable over

Arbab and further in view of Yudenfriend; and allowance of claims 1, 3-18, 20, 28 and 32-48.

If any questions remain about this application, the Examiner is requested to contact Applicants' attorney at the telephone number provided below. Thank you.

Respectfully submitted,

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October 29, 2004